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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/846,297 | 05/02/2001 | Kiyoshi Kumata | 0717-0465P | 3865 |

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EXAMINER

NGUYEN, CHANH DUY

ART UNIT PAPER NUMBER

2675

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,297

Applicant(s)

KUMATA ET AL

Examiner

Chanh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. The amendment filed on April 12, 2002 has been entered and considered by examiner.

Drawings

2. Figure 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 10-11 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 10-11 recite "only requires changing one parameter in order to alternatively perform a pan function...". However, no where in the specification discloses the limitation above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (Figure 10) in view of Juday et al (U.S. Patent 5,067,019; hereinafter briefly referred to as Juday).

As to claim 1, Applicant's admitted prior art (Figure 10) discloses an omniazimuthal visual system including an optical system (1001) capable of obtaining an image of wide view angle. It is noted that the optical system recited in the claim is well-known in the art to receive an image of 360⁰ view field area (panoramic 360⁰ image) being central projection transformation for the image (i.e. polar coordinate

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transformed to rectangular coordinate); see page 3, lines 1-9, even optical system disclosed in the invention is described in the Japanese Laid-Open Publication No. 6-295333 as admitted by applicant on page 18, lines 13-15 of the specification.

Applicant admitted prior art teaches an image section (1002) for converting the image obtained through the optical system into the image data. Applicant's admitted prior art teaches that a computer (1007) including an image converter (or transformation section), a display (or display section) and a display controller (or display control section) as recited in the claim; see page 2, lines 15-17 and lines 21-25. The only thing different from the prior art admitted by applicant and the claimed invention is that the image transformation section (1007) of the prior art uses software to perform the transforming the image data into display data whereas the claimed invention uses hardware such as a buffer memory, an arithmetic/logic circuit, a lookup table and a CPU to perform the transforming the image data. Juday teaches at least one buffer memory (50, 74, 24, 46) for temporarily storing the image data and the display data, an arithmetic/logic circuit (multiplier 30, 68, adder 42, 72) for performing coordinate transformed into display data, a lookup table of trigonometric function (34, 36) for use in the arithmetic/logic circuit (30, 68, 42, 72), CPU (computer 104) for controlling at least one buffer memory, the arithmetic/logic circuit and the table. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have substituted the hardware image transformation as taught by Juday to the software image transformation section of prior art admitted by applicant so as to provide a real

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time remapped image according to any one of a number of different remapping transformations; see column 3, lines 20-46 of Juday.

As to claims 2-3, Juday clearly teaches the transform image data including zoom function (magnification) or pan function for generating a perspective image; see column 14, line 40 through column 15, line 51.

As to claim 4, Juday clearly teaches the arithmetic/logic circuit is being formed only by linear operation circuit (adding or multiplier circuits is linear operation circuit); see column 9, line 18-34 (it is noted that the equation (3) is linear equation).

As to claims 5-6, using the hyperboloidal mirror optical structure as recited in the claims are well-known in the art, even admitted by applicant on page 18, lines 12-15. The optical system disclosed by this instant application is the same as the optical system disclosed in Japanese-Laid Open Publication No. 6-295333 as admitted by applicant.

As to claim 7, transforming the image into digital image data is taught by applicant admitted prior art, even the reference of Juday teaches an analog to digital converter (6).

As to claim 8, the image section (programmable remapper 10) of Juday having expansion PROM (e.g., 142) for storing the image information. This reads on the an image recording section as broad claimed language.

As to claim 9, Juday teaches that "the Address Lookup Table 34 (and the Factor Look-Up Table 36) may be segmented to allow several transforms to be loaded at once;

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see column 7, lines 51-60. Thus the CPU (104) must process in parallel so that several transform can be loaded at once.

As to claims 10-11, the limitations recited in claims 10-11 are met by prior art by Juday. For example, Juday clearly teaches a pan function.

Response to Arguments

8. Applicant's arguments filed April 12, 2002 have been fully considered but they are not persuasive.

As to the drawing, applicant argues that Figure 10 is conventional art known only to applicant, has not been previously disclosed, thus is not in fact the prior art. However, this argument is not persuasive because if the device is conventional art, then it has to be labeled prior art whether it is known only by applicants or only by one of ordinary skill in the art. Applicant does not provide any factual evidence to support the argument above. Page 16, lines 14-16 of the specification clearly states that Figure 10 is conventional omni-azimuthal visual system.

As to the claim rejection under 35 U.S.C. 103, applicant presents the same argument as the presented in the drawing section. Again, this argument is not persuasive because applicant does not provide any factual evidence to support the statement "Figure 10 is not in fact prior art but instead is a prior iteration of the present invention known only to applicants".

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As to the difference over Juday, Applicant simply argues the Juday reference, but the rejection is over prior art admitted by applicant in view of Juday. Thus while Juday may differs from the recited device the claims are obvious over combination of prior art and Juday as pointed out in the rejection above. For example, obtaining an image 360 degrees view field area is clearly taught by prior art Figure 10.

As to claim 6, applicant argues that subject matter of claim 6 is not taught or suggested by JP 6-295333 relied on in the office action. However, the subject matter disclosed in claim 6 is well-known in the art, even acknowledged by applicant on page 44, lines 1-5 of the specification.

As to claim 3, Applicant argues that "applicants have found that by following such a procedure, transformation can be carried out without a need for an addition buffer memory". However, the claim does not recite the limitation "without a need for addition buffer memory" as applicant argument".

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanh Nguyen whose telephone number is (703) 308-6603.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Saras, can be reached on (703) 305-9720. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist)

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C.Nguyen

July 14, 2002

Chanh Nguyen
CHANH NGUYEN
PRIMARY EXAMINER